

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI

STATE BOARD OF ARCHTIECTURE



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Specific Legal Authority authorizing the promulgation of
Rule: Miss. Code Annot 73-1-1 thorough 73-1-43
Reference to Rules repealed, amended or suspended by the
Proposed Rule : all chapters

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: Housekeeping throughout. 1.02 – clarify policy of four month reporting for IDP and completion of IDP prior to examination; 2.02 – clarify that by applying for licensure, one is submitting to the jurisdiction of the Board; 2.04 – increase fees for roster and non-sufficient funds; 2.05 – allow emeritus status for those who are physically or mentally unable to practice; 2.07 – Rename to clarify purpose of the rule and edit to clarify requirements; 3.01 – stipulate that investigative materials are not public record; 3.02 – re-format rule to provide with more clarity the rules regarding firm structure for professional associations, professional corporations, and partnerships; 3.02.2 – stipulate that titles assigned to non-licensed employees in an architectural firm may not use titles that may lead the public to believe the person is a licensed architect; 3.02.3 – in conformance with 73-1-19 stipulate allowable firm names as names that include the name of a person licensed in Mississippi, names that include no person's name, or names that include the names of deceased or retired archtietc's only; 3.02.6 – clarify rules regarding design/build undertakings; 3.02.10 – new rule provides that no person may use the title of architect without licensure in this state, and that in a firm situation, the individual licensed in Mississippi shall maintain responsible control and shall sign all contracts and seal all documents; 3.02.11 – new rule provides that no firm shall hold a certificate to practice architecture; 3.02.12 – new rule provides that firm names cannot be misleading as to the number of architects in the firm, and specifically addresses the use of the plural "architects"; 3.04 – seal requirements amended; 4.03.5 – new rule establishes guidelines for volunteer/uncompensated services; 4.05.1 – revision clarifies that an architect shall not advertise as an architectural office a location without a resident architect; 4.05.2 – clarified responsible control; 4.05.6 – new rule provides that all contracts, drawings, and pay applications shall be signed by an architect licensed in Mississippi; Chapter V(r) - new rule provides fine for unlicensed practice, clarifies that penalties are guidelines only; Chapter VI – renumbered, 6.08 (d) and 6.10 provide that failure to substantiate or make-up disallowed credits will invalidate renewal and result in an inactive license, 6.11 – establishes penalty fee for credits earned after the end of the CE reporting period.

This rule is proposed as a ☒ **Final Rule**, and/or a ☐ **Temporary Rule** (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☐ An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

SOS FORM APA 001
Effective Date 07/29/2005

☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: January 22, 2007

Proposed Effective Date of Rule: April 1, 2007



Signature and Title of Person Submitting Rule for Filing